



W.P.No.19631 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.19631 of 2023

Sri Mariamman Temple
Represented by its
Hereditary trustee V.Packirisamy
Sangiruppu Village, Tharangampadi Taluk
Nagapattinam District – 609107

... Petitioner

vs.

- 1.The Joint Commissioner,
HR & CE Department,
Mayiladuthurai District.
- 2.The Assistant Commissioner,
HR & CE Department,
Kumbakonam, Thanjavur.
- 3.The Assistant Commissioner,
HR & CE Department,
Mayiladuthurai District.
- 4.The Inspector
HR & CE Department,
Sembanarkovil
Mayiladuthurai District.

... Respondents

PRAYER: Writ Petition is filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1, 3 and 4 herein to measure and demarcate the temple properties by considering the petitioner's representation dated 05.11.2020.



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For Petitioner : Mr.P.Dinesh Kumar
M/s.M.R.Kuyilan

For Respondents : Mr.S.Yashwanth
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents 1, 3 and 4 to measure and demarcate the properties of Sri Mariamman Temple also known as 'Kumalametu Kamatchi Mariamman Temple' situated at Sangiruppur Village, Tharangampadi Taluk, Nagapattinam District by considering the representation of the petitioner dated 05.11.2020.

2. Mr.S.Yashwanth, learned Additional Government Pleader takes notice on behalf of respondents and on instructions, submitted that the petitioner is not entitled to maintain this writ petition as a fit person was already appointed to administer the said temple.

3. The learned counsel appearing for the petitioner submits that the order appointing the fit person to administer the said temple was stayed by this Court by order dated 15.07.2022 made in W.P.No.18431 of 2022 and W.M.P.No.17780 of 2022.



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4. A reading of the order passed by this Court in the above said writ petition makes it clear that the order appointing the fit person to administer the Sri Mariamman Temple/Petitioner was stayed till the next date of hearing of the writ petition. It is also submitted by the learned counsel that thereafter the matter has not been listed. The said statement is recorded.

5. In view of the stay granted by this Court, the petitioner is entitled to maintain the representation before the respondents 1, 3 and 4.

6. In view of the limited prayer made by the petitioner, without going into the merits of the case, this Court is inclined to direct the 3rd respondent to consider the representation of the petitioner dated 05.11.2020 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

11.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

1. The Joint Commissioner,
HR & CE Department,
Mayiladuthurai District.
2. The Assistant Commissioner,
HR & CE Department,
Kumbakonam, Thanjavur.
3. The Assistant Commissioner,
HR & CE Department,
Mayiladuthurai District.
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HR & CE Department,
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S.SOUNTHAR, J.

dm

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